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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/772,801	02/05/2004	Joseph Kubler	13264	5208

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 ORUM & ROTH
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 CHICAGO, IL 60604

EXAMINER

LAFORGIA, CHRISTIAN A

ART UNIT	PAPER NUMBER
2131	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/02/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/772,801

Applicant(s)

KUBLER ET AL.

Examiner

Christian La Forgia

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-20 have been presented for examination.

Specification

2. The use of the trademark Microsoft has been noted on page 2 of this application. It should be capitalized wherever it appears and be accompanied by the generic terminology.
3. Although the use of trademarks is permissible in patent applications, the proprietary nature of the marks should be respected and every effort made to prevent their use in any manner which might adversely affect their validity as trademarks.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claims 1-20 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claims contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The standard for determining whether the specification meets the enablement requirement was postured in the question, is the experimentation need to practice the invention undue or unreasonable? See MPEP § 2164.01; see *Mineral Separation v. Hyde*, 242 U.S. 261, 270 (1916); see *In re Wands*, 858 F.2d at 737, 8 USPQ2d at 1404 (Fed. Cir. 1998); see also *United States v. Telectronics, Inc.*, 857 F.2d 778, 785, 8 USPQ2d 1217, 1223 (Fed. Cir. 1988). The Examiner has determined that it is unclear how the claimed invention would be made and/or used, and therefore requires undue experimentation.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1-6, 13, and 14 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S.

Patent Application Publication No. 2004/0019786 to Zorn et al., hereinafter Zorn.

8. As per claim 1, Zorn teaches a method for automatically generating a credential database, comprising the following steps:

connecting at least one client device to a network (Figures 1A-1C, 2 [blocks 106]) having an authentication server (Figures 1A-1C, 2 [blocks 110]);

generating credential data by the at least one client device (paragraphs 0037, 0051, i.e. client entering username and password);

sending the credential data to the authentication server (paragraphs 0037, 0051, i.e. transmitting the username to the authentication server via an access point); and

adding the credential data to a database of credential data (Figures 1A-1C [blocks 112], 2 [block 216], 8, 9, paragraphs 0127-0136, i.e. password preprocessing needs to be performed so the same initial word is used to generate subsequent authentication codes). The accounts server stores the username and passwords in a database and information has to be obtained from the client device at some point prior to the first authentication attempt.

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9. Regarding claims 2, 12, and 18, Zorn teaches placing the authentication server into autolearn or logging mode before the credential data is sent (Figures 8, 9, paragraphs 0127-0136, i.e. preprocessing mode); and

returning the authentication server to normal mode after the credential data is added to the database (Figures 3, 5A, 5B, 6A, 6B, paragraphs 0051-0054, 0069-0084, i.e. authentication mode).

10. With regards to claims 3 and 9, Zorn teaches wherein the credential data is sent in a secure environment (Figure 3 [block 308], paragraph 0051).

11. Concerning claims 4 and 10, Zorn teaches wherein the credential data is encrypted before it is sent to the authentication server (Figure 3 [block 308], paragraph 0051).

12. Concerning claims 5 and 11, Zorn teaches wherein the authentication server (Figures 1A-1C, 2 [blocks 110]) and the at least one client device (Figures 1A-1C, 2 [blocks 106]) are in a physically secure location when the data is sent (paragraphs 0034-0036, i.e. using various authentication protocols to prevent attacks, such as the man-in-the-middle attack).

13. Concerning claim 6, Zorn teaches the additional step of verifying the at least one device is authorized to access the network (paragraph 0039).

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14. With regards to claims 13 and 15, Zorn teaches wherein the credential data is sent by a wireless communication link (Figures 1A-1B, 2 [element 104]).

15. With regards to claim 14 and 16, Zorn teaches wherein the credential data is sent by a hard-wired communication link (Figure 1C [element 108]).

Claim Rejections - 35 USC § 103

16. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

17. Claims 7 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zorn in view of U.S. Patent Application Publication No. 2002/0007462 to Omata, hereinafter Omata.

18. Concerning claim 7, Zorn does not teach the additional step of deleting credential data for any unauthorized devices.

19. Omata discloses the step of deleting credential data (Figure 2 [step S111], paragraph 0017).

20. It would have been obvious to one of ordinary skill in the art at the time the invention was made to delete the credential data for any unauthorized devices, since Omata states at paragraph 0017 that by deleting the credential data for any devices that are unauthorized prevents unauthorized logins which in turn prevents malicious users and abuse of the system.

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21. With regards to claim 19, Zorn teaches the additional steps of verifying the client devices are authorized to access the network (paragraph 0039).

22. Zorn does not teach deleting the credential data for any unauthorized client devices.

23. Omata discloses deleting the credential data (Figure 2 [step S111], paragraph 0017).

24. It would have been obvious to one of ordinary skill in the art at the time the invention was made to delete the credential data for any unauthorized devices, since Omata states at paragraph 0017 that by deleting the credential data for any devices that are unauthorized prevents unauthorized logins which in turn prevents malicious users and abuse of the system.

25. Claims 8-12, 15-18, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zorn.

26. Regarding claims 8 and 20, Zorn teaches the additional steps of verifying the at least one device is authorized to access the network (paragraph 0039).

27. Zorn does not teach verifying the device before the credential data is added to the database.

28. It would have been obvious to one of ordinary skill in the art at the time the invention was made to verify the device before the credential data is added to the database, since one of ordinary skill in the art would recognize that it would be a waste of time and memory to add a device's credentials to the database if it did was not authorized to access the network.

29. As per claim 17, Zorn teaches a method for automatically generating a credential database for a plurality of client devices, comprising the steps of:

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connecting a client device to a network (Figures 1A-1C, 2 [blocks 106]) having an authentication server (Figures 1A-1C, 2 [blocks 110]);

generating credential data by the client device (paragraphs 0037, 0051, i.e. client entering username and password);

sending the credential data to the authentication server (paragraphs 0037, 0051, i.e. transmitting the username to the authentication server via an access point);

adding the credential data to a database of credential data (Figures 1A-1C [blocks 112], 2 [block 216], 8, 9, paragraphs 0127-0136, i.e. password preprocessing needs to be performed so the same initial word is used to generate subsequent authentication codes). The accounts server stores the username and passwords in a database and information has to be obtained from the client device at some point prior to the first authentication attempt.

30. Zorn does not disclose repeating the steps until the credential data for the plurality of client devices has been added to the database.

31. It would have been obvious to one of ordinary skill in the art at the time the invention was made to repeat the steps of adding user credential information to a database, since it has been held that it that it only requires routine skill in the art to replicate a step and that such replication has no patentable significance unless a new and unexpected result is produced. See MPEP § 2144.04; see also *In re Harza*, 274 F.2d 669, 124 USPQ 378 (CCPA 1960).

Conclusion

32. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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33. The following patents are cited to further show the state of the art with respect to client authorization information registration, such as:

United States Patent Application Publication No. 2004/0208151 to Haverinen et al., which is cited to show 802.1X open system authentication.

United States Patent Application Publication No. 2004/0236964 to Haverinen, which is cited to show registering the authentication information of a mobile device.

United States Patent No. 6,061,791 to Moreau, which is cited to show registering a secret key for identity verification.

United States Patent No. 5,875,394 to Daly et al., which is cited to show a subscriber activating account information via comparing a password to a registered password.

United States Patent Application Publication No. 2002/0186688 to Inoue et al., which is cited to show authorizing a user based on the registered location of the client device.

United States Patent No. 7,123,604 to Inoue et al., which is cited to show authorizing a user based on the registered location of the client device.

United States Patent No. 6,891,819 to Inoue et al., which is cited to show authorizing a user based on the registered location of the client device.

34. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christian La Forgia whose telephone number is (571) 272-3792. The examiner can normally be reached on Monday thru Thursday 7-5.

35. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (571) 272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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36. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Christian LaForgia
Patent Examiner
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A handwritten signature in black ink, appearing to read 'CLF', is written over the printed name of the examiner.

clf